

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMS TECHNOLOGIES, LLC,**Plaintiff,****v.****GENERAL ELECTRIC CO. et al.,****Defendants.**

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:10-cv-32-DF**JURY TRIAL DEMANDED**

**DEFENDANT GENERAL ELECTRIC'S SUPPLEMENTAL NOTICE
OF SERVICE OF THIRD-PARTY SUBPOENAS**

Defendant General Electric Co. ("GE") respectfully files this Supplemental Notice of GE's service of the following third-party subpoenas on the dates below. In each case, GE first attempted to serve the subpoena informally, to minimize any burden on the third party:

Third Party	Date Informal Service First Attempted	Date Service Accepted
Electric Power Research Institute ("EPRI")	June 25, 2010	June 25, 2010
KEMA, Inc.	June 25, 2010	June 30, 2010
Itron, Inc.	June 28, 2010 (informal) July 7, 2010 (formal)	July 7, 2010 (served formally at Itron's request)
Xcel Energy	June 28, 2010 (informal) July 30, 2010 (formal)	July 30, 2010 (served formally at Xcel's request)
Jerome Johnson	July 1, 2010	July 15, 2010 (formal)
Wisconsin Energy	July 2, 2010	July 15, 2010
Minnesota Power	July 7, 2010	pending
ABB Inc.	July 7, 2010	July 7, 2010
Emerson Electric	July 23, 2010	pending
Honeywell International	July 23, 2010	pending
Madison Gas & Electric	July 30, 2010	pending
PSI Energy, Inc.	July 30, 2010	pending
Puget Sound Energy	August 2, 2010	pending
NStar Electric & Gas Corp.	August 2, 2010	pending
Seattle City Light	August 3, 2010	August 6, 2010 (as a request for records under the Public Disclosure Act)
FPX, LLC (formerly Firepond)	August 6, 2010	pending

GE expects to serve additional third-party subpoenas in this case, as it identifies additional third parties who might possibly possess relevant information, and will keep the Court apprised of its service of such additional subpoenas.

Dated: August 6, 2010

Respectfully submitted,

/s/ Thomas M. Morrow

T. John Ward, Jr.

(State Bar No. 00794818)

Wesley Hill

(State Bar No. 24032294)

WARD & SMITH LAW FIRM

111 W. Tyler Street

Longview, Texas 75601

Tel.: (903) 757-6400

Fax: (903) 757-2323

Email: jw@jwfirm.com

wh@jwfirm.com

R. Paul Yetter

(State Bar No. 22154200)

Thomas M. Morrow

(State Bar No. 24039076)

Kevin J. Terrazas

(State Bar No. 24060708)

YETTER COLEMAN, LLP

Two Houston Center

909 Fannin, Suite 3600

Houston, TX 77010

Tel.: (713) 632.8070

Fax: (713) 632.8002

Email: pyetter@yettercoleman.com

tmorrow@yettercoleman.com

kterrazas@yettercoleman.com

COUNSEL FOR DEFENDANT
GENERAL ELECTRIC COMPANY

Certificate of Service

I certify that a true and correct copy of the foregoing document has been served by email on counsel for all parties on this 6th day of August, 2010.

/s/ Thomas M. Morrow
Thomas M. Morrow